

The Honorable Benjamin H. Settle

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT TACOMA

EAGLE HARBOR HOLDINGS, LLC, and
MEDIUSTECH, LLC,

Plaintiffs,

v.

FORD MOTOR COMPANY,

Defendant.

Case No. 3:11-cv-05503-BHS

**FORD MOTOR COMPANY'S
UNOPPOSED MOTION TO FILE
DOCUMENT UNDER SEAL**

NOTE ON MOTION CALENDAR:
June 20, 2014

Pursuant to Local Civil Rule (5)(g), Ford Motor Company ("Ford") respectfully moves the Court for an order authorizing Ford to file under seal:

(a) Ford's Reply in Support of Motion for Leave to File an Amended Counterclaim for Trade Secrets Misappropriation and to Join Dan Alan Preston as a Counterclaim-Defendant ("Ford's Reply in Support of Motion for Leave to Amend").

Plaintiffs' counsel have confirmed that Plaintiffs do not oppose this motion or Ford's proposed order to seal.

The material the parties seek to file under seal is listed below. This document contains sensitive information that Ford and/or Plaintiffs consider highly proprietary.

1 **1. Ford's Reply in Support of Motion for Leave to Amend;**

2 Ford's Motion for Leave to Amend cites, paraphrases, and quotes directly from
3 documents designated "Confidential" under the parties' Confidentiality Agreement.

4 Ford has conferred with Plaintiffs' counsel regarding these matters in accordance with
5 LCR 5(g)(3)(A) as described in Docket No. 277 and by further email correspondence. Ford's
6 request to seal documents is the narrowest request on which the parties could agree. The
7 parties stipulate that the sensitive information contained in the documents referenced herein
8 merits filing under seal.

9 Open discovery is favored in this district, and there is a presumption of access to
10 publically filed documents. LCR 5(g). The confidential and sensitive nature of the material
11 discussed in these documents, however, is good cause to keep the documents under seal. *See*
12 *Myhrvold v. Lodsys Grp., LLC*, C13-1173 RAJ, 2013 WL 5488791, at *4 (W.D. Wash. Sept.
13 27, 2013) (party must show good cause to keep documents under seal); *EEOC v. Fry's Elecs.,*
14 *Inc.*, No C10-1562RSL, 2012 WL 1642305, at *5 (W.D. Wash. May 10, 2012) (finding good
15 cause for sealing personnel records of third parties); *Boucher v. First Am. Title Ins. Co.*, No.
16 C10-199RAJ, 2011 WL 5299497, at *5 (W.D. Wash. Nov. 4, 2011) (finding good cause and
17 granting motion to seal a party's competitively sensitive licenses with a third party; noting that
18 redactions were limited to very specific portions of documents). Ford therefore respectfully
19 requests that the Court authorize the filing under seal of Ford's Reply in Support of Motion for
20 Leave to Amend.

DATED: June 20, 2014

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Attorneys for Defendant Ford Motor Company

IT IS SO ORDERED.

Dated this _____ day of _____, 2014.

THE HONORABLE BENJAMIN H. SETTLE
United States District Judge

CERTIFICATION

I certify that, prior to making this motion to seal, counsel for the parties conferred in a good-faith effort to attempt to resolve this dispute in accordance with Local Civil Rule 5(g)(3)(A). On May 23, 2014, Todd Zubler and Greg Teran, counsel for Ford Motor Company, conferred by telephone with Floyd Short, counsel for Plaintiffs, regarding Ford's motion to amend its counterclaims and the need to file the motion and related material under seal. Counsel for the parties subsequently corresponded by email regarding Ford's Reply in Support of Motion for Leave to Amend and agreed to this motion, which the parties believe minimizes the amount of material filed under seal given the material the parties have designated confidential.

DATED: June 20, 2014

/s/ Todd Zubler

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing document was filed electronically with the Court and thus served simultaneously upon all counsel of record, this 20th day of June, 2014.

/s/ Duncan E. Manville
Duncan E. Manville